

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) 371 CONCERNING A FILING UNDER 35 U.S.C.		ATTORNEY'S DOCKET NO. CCS5002USPCT
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/538946
INTERNATIONAL APPLICATION NO. PCT/EP03/014474	INTERNATIONAL FILING DATE December 12, 2003	PRIORITY DATE CLAIMED December 13, 2002
TITLE OF INVENTION: CONTROLLED RELEASE PREPARATION COMPRISING TRAMADOL AND TOPIRAMATE		
APPLICANT(S) FOR DO/EO/US :Dieter Bachmann, Reza Eivaskhani, Christian Braun, Rene Spycher, Brian Strong		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). – (Unexecuted) 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Express Mail Certificate & Power of Attorney or Authorization of Agent 		

This collection of information is required by 37 CFR 1.414 AND 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Page 2 of 2

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107538946		INTERNATIONAL APPLICATION NO. PCT/EP03/014474	ATTORNEY'S DOCKET NUMBER CCS5002USPCT	
21. <input checked="" type="checkbox"/> The following fees are submitted:				Applicant use Office use only
<input type="checkbox"/> a) Basic national fee \$300.00 <input type="checkbox"/> b) Examination fee..... \$200.00 <input type="checkbox"/> c) Search fee..... \$500.00 TOTAL OF ABOVE CALCULATIONS = \$ 1000.00				\$ 300.00 \$ 200.00 \$ 500.00 \$ 1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
6- 100 =	/50 =		x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	16-20	x \$50.00		
Independent claims	1- 3	x 200.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$2,000.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.				\$
SUBTOTAL =				\$2,000
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$2,000.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$0.00
TOTAL FEES ENCLOSED =				\$2,000.00
Amount to be refunded:				\$
Amount to be charged:				\$2,000.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>10-0750/CCS5002/USPCT/MBZ</u> in the amount of \$2,000.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>10-0750/CCS5002/USPCT/MBZ</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:		<u>/Matthew B. Zisk/</u> Signature		
Philip S. Johnson, Esq. Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 USA		Name: Matthew B. Zisk Reg. No.45,257 Attorney for Applicants		

10/538 946

JC09 Rec'd PCT/PTO 13 JUN 2005

Express Mail Label No. EV 546 123 163 US
Docket No. CCS 5002USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: BACHMANN et al.

For: CONTROLLED RELEASE PREPARATIONS COMPRISING
TRAMADOL AND TOPIRAMATE

Express Mail Certificate

"Express Mail" mailing number: EV 546 123 163 US

Date of Deposit: June 10, 2005

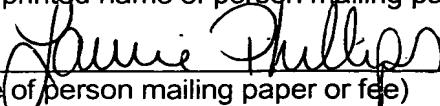
I hereby certify that this entry into the National Phase pursuant to 35 USC 371 contains complete application:

- | | | |
|-------------------------------------|---|---------------------------------------|
| <input checked="" type="checkbox"/> | Express Mail Certificate | (1 page) |
| <input checked="" type="checkbox"/> | Return Receipt Postcard | (1 page) |
| <input checked="" type="checkbox"/> | PCT FORM 1390 Transmittal | (2 pages & 2 copies of same) |
| <input checked="" type="checkbox"/> | Copy of International Application as filed | (32 pages) |
| <input checked="" type="checkbox"/> | Preliminary Amendment | (6 pages) |
| <input checked="" type="checkbox"/> | Declaration – (Unexecuted) | (4 pages) |
| <input checked="" type="checkbox"/> | Power of Attorney or Authorization of Agent | (3 pages) |
| <input checked="" type="checkbox"/> | Information Disclosure Statement | (4 pages & 2 copies of same) |
| <input checked="" type="checkbox"/> | PTO Form 1449 | (1 page & copies of cited references) |
| <input checked="" type="checkbox"/> | SUBMISSION UNDER MPEP 609 D | (1 page & copy of PCT Search Report) |

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee; service under 37 CFR 1.10 on the date indicated above is addressed to the Mail Stop: Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Laurie Phillips

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)